

Exhibit 5

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
MASTER DOCKET 18-MD-2865 (LAK)
CASE NO. 18-CV-09797

IN RE:

CUSTOMS AND TAX ADMINISTRATION OF
THE KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX REFUND
SCHEME LITIGATION

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REMOTE VTC VIDEOTAPED DEPOSITION UNDER ORAL

EXAMINATION OF

CHRISTIAN EKSTRAND – VOLUME II

DATE: May 7, 2021

REPORTED BY: CHARLENE FRIEDMAN, CCR, RPR, CRR

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1 VIDEO OPERATOR: We are now on
2 record. This is the continued remote video
3 deposition of Christian Ekstrand.

4 Today is Friday, May 7, 2020. The
5 time is now 6:01 a.m. New York time.

6 We are here in the matter of In Re
7 Custom and Tax Administration Kingdom of
8 Denmark et al. All counsel have been noted
9 on record.

10 My name is Jose Rivera, remote
11 video technician on behalf of Gregory Edwards
12 LLC. At this time, will the reporter,
13 Charlene Friedman, on behalf of Gregory
14 Edwards LLC, please re-swear in the
15 interpreter and the witness.

16

17 I N G D R G R E G E R S E N,

18 Called as the official interpreter in
19 this action, was duly sworn to faithfully translate
20 the questions to the witness from English to
21 Danish, and the answers from Danish to English.

22

23 C H R I S T I A N E K S T R A N D,

24 called as a witness, having been first duly
25 sworn according to law, testifies as follows:

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1 A No.

2 Q Who did you directly report into?

3 A Into my department manager, Lill
4 Drost.

5 Q Okay. So what is the first you
6 learn about this issue in June of 2015?

7 A We had a meeting at the time that
8 we --

9 MR. SCHOENFELD: I'm sorry. Can we
10 pause you, Ms. Gregersen? We're having
11 trouble hearing you. It's breaking up on
12 your end.

13 A We had a meeting at the time for
14 the whole Special Control department or
15 function. I'm not quite sure whether it was
16 called Special Control at the time, but that
17 was it.

18 It was a kind of a theme or topic
19 they -- at the meeting, I was contacted by
20 our deputy director at the time, Ann
21 Munksgaard, who had received reports through
22 a Danish lawyer who, on behalf of a client,
23 had reported that somebody or somebodies was
24 defrauding Denmark with respect to dividend
25 tax.

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1 e-mail that he suspects the fraud to involve
2 around 500 million kroner, correct?

3 A Yes, that's correct.

4 Q Is that the largest case that was
5 ever referred to you at that time in terms of
6 the kroner value of the case?

7 A Yes.

8 Q On the 17th, Mr. Amstrup e-mails
9 again, correct?

10 A Yes, that's correct.

11 Q And he says -- he again mentions a
12 gentleman named Sanjay Shah, correct?

13 A Yes, that's correct.

14 Q And he offers to provide a list of
15 companies that allegedly acted as fictitious
16 owners of the shares, correct?

17 A Yes.

18 Q Do you know whether Ms. Munksgaard
19 ever requested that information?

20 A I don't think she actually asked
21 for the information, but he sends that
22 information.

23 Q Did you have any direct
24 communications with Mr. Amstrup at this time?

25 A I did not have any communication

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1 Q So this is the first time, to the
2 best of your knowledge, that anyone proposes
3 that the reclaim process may be shut down
4 with respect to particular companies?

5 MR. WEINSTEIN: Objection to form.

6 A Yes, that is all that I know. And
7 that on the meeting on the 6th, a memo was
8 drafted to start refunds.

9 Q So it's fair to say that Ms. Madsen
10 concluded that the fraud was potentially
11 ongoing, correct?

12 A Yes, and she was unable to compute
13 that because, in the meantime, since we
14 received the first report from authority, in
15 that connection, we also get additional
16 information stating that the authority in
17 question expects that there will be a new
18 attempt to get dividend -- withheld dividend
19 tax refunded, and this will be around August
20 10th.

21 Based on the information that we
22 received, that's why she reached this
23 conclusion that, within this area, you needed
24 to recommend to stop refund payments.

25 Q You referenced a report from a

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1 foreign authority.

2 When did you receive that report?

3 A Towards the end of July.

4 Q And what was that report?

5 A So you're just -- you're asking
6 sort of the gist of the report that they
7 made?

8 Q Well, who made the report?

9 A The report came from a foreign
10 authority.

11 Q Which foreign authority?

12 A It was from the MRC in the U.K.,
13 HMRC.

14 Q What is the HMRC?

15 A These are the U.K. custom and tax
16 authorities.

17 Q To whom at SKAT was this report
18 made?

19 A To the relevant authority. They
20 are the ones who handle communications with
21 foreign authorities.

22 Q Do you know the name of the person
23 at SKAT who received the communication from
24 HMRC?

25 A And so initially it was sent to a